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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/317,746	05/24/1999	ROBERT L. STEWART	CIS-1219	9501

21005 7590 07/16/2002

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EXAMINER

WOO, ISAAC M

ART UNIT	PAPER NUMBER
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2172

DATE MAILED: 07/16/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/317,746

Applicant(s)

STEWART ET AL.

Examiner

Isaac M Woo

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 May 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This action is in response to Applicant's amendment, filed on May 07, 2002 have been considered but are deemed moot in view of new ground of rejections below.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-2, 6-19 and 23-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shima (U.S. No. 6,333,789) in view of Lawande et al (U.S. Patent No. 6,219,697, hereinafter, "Lawande").

With respect to claims 1, 18, 27 and 28, Shima discloses the method, apparatus and computer program for prioritizing a network management request (priority of information, SNMP request, printer job) sent by a management station (host computer) to a managed element (printer connected via network), see (col. 1. 5-67 to col. 2, lines 1-32), Shima discloses the scheduling the network management request by the managed element (network printer, FIG. 5 and 15, priority table, FIG. 1 and col. 6, lines

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26-33) dependent on the assigned priority value, see (FIG. 5, col. 7, lines 30-67 to col. 8, lines 1-31).

Shima discloses the assigning a priority value to the network management request, see (col. 1, lines 65-67 to col. 2, lines 1-21 and FIG. 2A-B, col. 5, lines 31-67 to col. 6, lines 1-33). Shima does not explicitly disclose the requester identifier included in the request. However, Lawande discloses the requester identifier included in the request (FIG. 7B-C; col. 13, lines 37-67 to col. 14, lines 1-49 and col. 17, lines 5-67 to col. 18, lines 1-40), which specifies that TCP/IP packets include source ID to identify sender ID from destination device in network communication using TCP/IP protocol. Therefore, it would have been obvious a person having ordinary skill in the art include the method of identifying requester or sender ID of Lawande into the system of Shima. In order to communicate in network environment, there must be specific communication protocol that is TCP/IP, which is well known protocol and TCP/IP has the function of identifying requester or sender ID.

With respect to claims 2, 15, 19 and 24, Shima discloses the assigning is performed by the managed element, see (S12, FIG. 5, col. 7, lines 30-47).

With respect to claims 6 and 11, Shima discloses the selecting the order of execution of the network management request dependent on the determined priority value, see (FIG. 5, col. 7, lines 30-67 to col. 8, lines 1-31).

With respect to claims 7 and 12, Shima discloses that preempting the currently executing task if the determined value for the management request is higher than the currently executing task, see (FIG. 5, col. 7, lines 30-67 to col. 8, lines 1-31).

With respect to claims 8-9 and 13-14, Shima discloses the adding a management request to the request queue dependent on priority value, see (S16, FIG. 5 and col. 7, lines 30-67 to col. 8, lines 1-31).

With respect to claims 10 and 23, Lawande discloses the extracting the source identification from the network management request, see (FIG. 7B-C; col. 13, lines 37-67 to col. 14, lines 1-49 and col. 17, lines 5-67 to col. 18, lines 1-40).

Shima disclose the determining the priority value by using the extracted source identification to index the source identification table, see (S12, FIG. 5, col. 7, lines 30-67 to col. 8, lines 1-31).

With respect to claims 16 and 25, Shima discloses the storing a priority value in the network management request before sending the network management request to the manage element (5, FIG. 1 and col. 5, lines 4-45).

With respect to claims 17 and 26, Shima discloses the extracting the priority value from the network management request; and

scheduling the network management request dependent on the extracted priority value, see (FIG. 5, col. 7, lines 30-67 to col. 8, lines 1-31).

4. Claims 3-5 and 20-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shima (U.S. No. 6,333,789) in view of Lawande et al (U.S. Patent No. 6,219,697, hereinafter, "Lawande") further in view of Kimura Shuji (J.P. Patent No.10-040044, hereinafter, "Kimura").

With respect to claims 3 and 20, neither Shima nor Lawande discloses the adding a priority value to an authentication group comprising user identification, in an authentication table. However, Kimura discloses the adding a priority value to an authentication group comprising user identification, in an authentication table, see (User-name, page 2, section [0016], line 1 to page 3, section [0016], lines 1-2). Therefore, it would have been obvious a person having ordinary skill in the art include the method of the adding a priority value to an authentication comprising user identifications. Thus, it would be beneficial to add the priority values to network user to make prioritizing network management request when the network user makes requests.

With respect to claims 4 and 22, Kimura discloses the adding a priority value to a source identification in a source identification table, see (Host-name, page 2, section [0020], lines 1-3).

With respect to claims 5 and 21, Kimura discloses the extracting a user identification from the network management request;

determining the priority value by using the extracted user identification to index the authentication table, see (User-name, page 2, section [0017], page 3, section [0017], lines 1-7 and page 3, section [0018], lines 1-4).

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

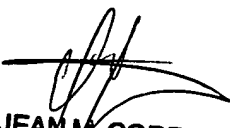
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Isaac M Woo whose telephone number is (703) 305-0081. The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Y Vu can be reached on (703) 305-4393. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications and (703) 308-6606 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

IMW
July 10, 2002


JEAN M. CORRIELUS
PRIMARY EXAMINER